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Examiner: D.A. Davis **Group:** 1641

Date: April 28, 2005

Client Code: 1440.1038-003

Facsimile No.: 703-872-9306

From: Carol A. Egner, Esq.

Subject: Paper: REQUEST FOR WITHDRAWAL OF DEFECTIVE OFFICE ACTION
AND INTERVIEW SUMMARY

Docket No.: 1440.1038-003

Applicants: Mustapha Abdelouahed and John W. Lawler

Serial No.: 10/084,832

Filing Date: February 27, 2002

Number of pages including this cover sheet: 3

Please confirm receipt of facsimile: Yes X No

Comments:

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April 28, 2005

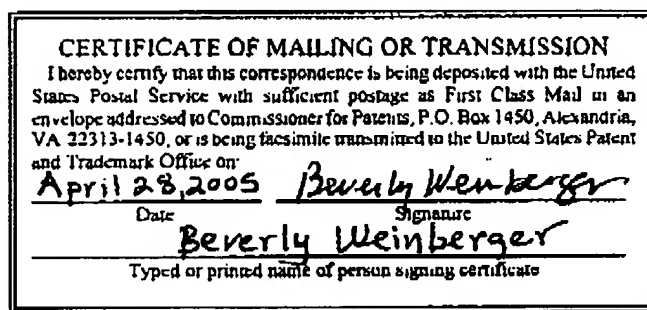
PATENT APPLICATION
Attorney's Docket No.: 1440.1038-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 28 2005

Applicants: Mustapha Abdelouahed and John W. Lawler
Application No.: 10/084,832 Group: 1641
Filed: February 27, 2002 Examiner: D.A. Davis
Confirmation No.: 5718
For: DIAGNOSTIC ASSAY FOR TYPE 2 HEPARIN-INDUCED
THROMBOCYTOPENIA



REQUEST FOR WITHDRAWAL OF DEFECTIVE OFFICE ACTION
AND INTERVIEW SUMMARY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appellants have received a nonfinal Office Action with a mailing date of 29 March 2005. This Office Action follows the filing of a Brief on Appeal, mailed to the U.S. Patent and Trademark Office, with a one-month extension, on 27 September 2004. Page 3 of the Office Action includes a form paragraph explaining that prosecution has been reopened. The form paragraph refers to 37 C.F.R. § 1.193(b)(2), which was deleted as of 13 September 2004.

Appellants request that the Office Action of 29 March 2005 be withdrawn. See MPEP § 710.06 regarding a request for withdrawal of a defective Office Action. Appellants request that the proper authority for the reopening of prosecution be cited, or that the Examiner take further action under 37 C.F.R. § 41.39, which describes the Examiner's Answer to the Appeal Brief.

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INTERVIEW SUMMARY

On 7 March 2005, Examiner Davis called Appellants' Attorney, Carol Egner, to report that after review by two supervisory patent examiners, prosecution was being reopened. No proposals of claim amendments were made.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: *April 28, 2005*